

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WALTER JAMES KINARD

Petitioner,

Case No. 08-14992

v.

Honorable Avern Cohn

Raymond Booker,

Respondent.

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**ORDER FINDING PETITIONER'S MOTION FOR CERTIFICATE OF APPEALABILITY  
AS MOOT**

Before the Court is the above reference motion. On August 18, 2010 the petitioner filed a Motion for Certificate of Appealability (D/E 24) which was denied on August 27, 2010(D/E 25). The Court finds that the motion is duplicitous of the motion filed on August 18, 2010. The Court being fully advised of the premises,

IT IS ORDERED that the motion is MOOT.

SO ORDERED.

Dated: September 2, 2010

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was sent to Walter Kinard, Carson City Correctional Facility, P.O. Box 5000, Carson City, MI 48811 and counsel of record on this date, September 2, 2010, by electronic and/or ordinary mail.

s/Michael Williams  
Case Manager, (313) 234-5160